

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 30, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KINSALE INSURANCE COMPANY, a
foreign insurer,

Plaintiff,

v.

WEeping RIDGE LLC, a Washington
limited liability company; WEeping
RIDGE HOME HEALTH, LLC, a
Washington limited liability company;
WEeping RIDGE LAKE SPOKANE,
LLC, a Washington limited liability
company; WEeping RIDGE NORTH,
LLC, a Washington limited liability
company; WEeping RIDGE WEST,
INC., a Washington corporation;
WEeping RIDGE ESTATE ADULT
FAMILY HOME, INC., a Washington
corporation; GRANDE MANOR CARE,
INC., a Washington corporation; IPRI
LLC, a Washington limited liability
company; ISRAEL RODRIGUEZ, an

NO. 2:21-cv-00186-SAB

**ORDER STRIKING PENDING
MOTIONS AND DEADLINES;
SETTING LIMITED
DISCOVERY SCHEDULE**

**ORDER STRIKING PENDING MOTIONS AND DEADLINES; SETTING
LIMITED DISCOVERY SCHEDULE # 1**

1 individual; PENNY LEAH GARDNER an
2 individual; SEAN G. PAYNE, an
3 individual; MELISSA L. FINCH, an
4 individual; ERICA F. DOMINGUEZ, an
5 individual; AARON K. ROSS, an
6 individual; GARY L. BAKER, as personal
7 representative of the ESTATE OF LEAH
8 H. EVANS, Deceased; TONYA L.
9 ARNESON, an individual; BARBARA C.
10 SALATICH, an individual; RUTH E.
11 ESPARZA, as personal representative of
12 the ESTATE OF J.A.C.J., Deceased;
13 ENEDINA JIMENEZ, as an individual, as
14 the natural mother and guardian of
15 J.C.C.J., a minor, and as the duly appointed
16 personal representative of the ESTATE OF
17 MAGDALENO CASTRO SALVADOR,
18 Deceased; NOLBERTA CASTRO
19 JIMENEZ, an individual; IMELDA
20 CASTRO JIMENEZ, an individual;
21 MAGDALENO CASTRO, an individual;
22 YULISA CASTRO, an individual; J.C.J, a
23 minor; and Y.C.J., a minor,
24 Defendants.
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26 Before the Court are Plaintiff Kinsale's Motion to Strike Pretrial Deadlines,
27 ECF No. 74, and Motion for Summary Judgment, ECF No. 86; Defendant Israel
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**ORDER STRIKING PENDING MOTIONS AND DEADLINES; SETTING
LIMITED DISCOVERY SCHEDULE # 2**

Rodriguez and the Weeping Ridge Defendants' Motion to Expedite Hearing Re Motions to Stay and Motion to Strike, ECF No. 91, and Motion to Stay Pending Mandatory Arbitration and to Strike Plaintiff Kinsale Insurance Company's Motion for Summary Judgment, ECF No. 92; Defendant Aaron Ross's Joinder in Defendants' Motion to Expedite Hearing Re Motions to Stay and Motion to Strike, ECF No. 94, Joinder in Plaintiff Kinsale Insurance Company's Motion to Strike Pretrial Deadlines, ECF No. 95, and Joinder in Defendants' Motion to Stay Pending Mandatory Arbitration and to Strike Plaintiff's Motion for Summary Judgment, ECF No. 97' and the Parties' Stipulation to Strike and Reset Hearing Date for Kinsale's Motion for Summary Judgment [Dkt. 86] and to Set Briefing Schedule, ECF No. 98.

Plaintiff is represented by Eric Neal, Kasie Kashimoto, and Thomas Lether. Defendants are represented by counsel listed on the record. The motions were heard without oral argument. Having considered the motions, the Court is well informed and issues the following order.

Accordingly, **IT IS ORDERED:**

1. All pending motions, ECF Nos. 74, 86, 91, 92, 94, 95, 97, and 98, are **STRICKEN**.

a. Plaintiff Kinsale Insurance Company's Motion for Summary Judgment, ECF No. 86, is **STRICKEN** and subject to refile after the Court rules on the issue of mandatory arbitration.

2. The pretrial conference set for April 6, 2023, the jury trial set for April 17, 2023, and all associated deadlines are **STRICKEN**.

3. The Court **sets** limited discovery between Plaintiff and Defendant Penny Gardner concerning only the issue of mandatory arbitration.

a. The limited discovery concerning mandatory arbitration will last no later than (60) sixty-days from this order.

ORDER STRIKING PENDING MOTIONS AND DEADLINES; SETTING LIMITED DISCOVERY SCHEDULE # 3

1 b. Discovery between Plaintiff and Defendant Penny Gardner shall
2 only concern the issue of mandatory arbitration.

3 4. At the end of the 60-day limited discovery concerning mandatory
4 arbitration, the Court will hold a status videoconference with the parties
5 on March 14, 2023 by videoconference at 9:30 a.m.

6 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter
7 this Order and to provide copies to counsel.

8 **DATED** this 29th day of December 2022.



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14 Stanley A. Bastian
15 Chief United States District Judge
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